

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
WEDNESDAY, JULY 18, 1984

A regular meeting of the City Council of the City of Lodi was held beginning at 7:30 p.m. on Wednesday, July 18, 1984 in the City Hall Council Chambers.

ROLL CALL Present: Council Members - Hinchman, Olson, Reid, and Snider (Mayor)

Absent: Council Members - Pinkerton

Also Present: City Manager Glaves, Community Development Director Schroeder, Public Works Director Ronsko, City Attorney Stein, and City Clerk Reimche

INVOCATION The invocation was given by Father Ray Knapp, St. John's Episcopal Church

PLEDGE The Pledge of Allegiance was led by Mayor Snider

PRESENTATIONS There were no awards or presentations made at this meeting.

CONSENT CALENDAR

REPORTS OF THE  
CITY MANAGER

In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Reid, Olson second, approved the following actions hereinafter set forth.

\*\*\*\*\*

CLAIMS

CLAIMS WERE APPROVED IN THE AMOUNT OF \$2,643,092.99

MINUTES

THE MINUTES OF JUNE 6, 1984 AND JUNE 20, 1984 WERE APPROVED AS WRITTEN.

ACCEPTANCE OF  
LODI PARK WEST

Council was apprised that the improvements in Lodi Park West Subdivision have been completed in substantial conformance with requirements of the Subdivision Agreement between the City of Lodi and Park West, a limited partnership, dated July, 1983, and as specifically set forth in the plans and specifications approved by the City Council.

RES. NO. 84-109

COUNCIL ADOPTED RESOLUTION NO. 84-109 ACCEPTING THE SUBDIVISION IMPROVEMENTS AND STREETS INCLUDED IN TRACT MAP NO. 1732, LODI PARK WEST.

CLASS II SLURRY  
SEAL SPECS  
APPROVED

COUNCIL APPROVED THE SPECIFICATIONS FOR CLASS II SLURRY AND AUTHORIZED THE PURCHASING AGENT TO ADVERTISE FOR BIDS THEREON.

RESOLUTION OF  
INTENTION TO  
ABANDON EASE-  
MENT ON ROYAL  
CREST DRIVE

COUNCIL ADOPTED RESOLUTION NO. 84-110 - RESOLUTION OF INTENTION TO ABANDON PORTION OF THE EASEMENT ON ROYAL CREST DRIVE, LODI, REFERRING THE MATTER TO THE PLANNING COMMISSION, AND SETTING THE MATTER FOR PUBLIC HEARING ON AUGUST 15, 1984.

RES. NO. 84-110

\*\*\*\*\*

PUBLIC HEARINGS

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Snider called for the Public Hearing to consider:

- WOODLAKE NORTH  
EIR CERTIFIED
- GENERAL PLAN-LAND  
USE ELEMENT AMEND-  
MENT APPROVED  
AND REZONING  
APPROVED
- 1) To consider the recommendation of the Lodi Planning Commission to the City Council that the Final Environmental Impact Report EIR-84-2, of Woodlake North, a proposed 32 acre project containing 80 single-family lots, 2 parcels containing 160 multiple-family units and a four acre commercial site located on the north side of West Turner Road, West of Lower Sacramento Road (Main Street, Woodbridge) be certified as adequate.
  - 2) To consider the recommendation of the Planning Commission that the City Council approve General Plan-Land Use Element Amendment No. GP-LU-84-3, which redesignates portions of Woodlake North Subdivision, a proposed 32 acre Mixed Use Project on the north side of West Turner Road, west of Lower Sacramento Road (Main Street, Woodbridge) from Low Density Residential to Medium Density Residential or Commercial.
  - 3) To consider the recommendation of the Planning Commission that the area encompassed by the Woodlake North Subdivision be rezoned from U-H, Unclassified Holding to the following Classifications: (a) Lots 1 through 30 to R-2, Single-Family Residential; (b) Lots 31 through 78 to R-1, Single-Family Residential; (c) Lot 79 to C-S, Commercial Shopping; and (d) Lots 80 and 81 to R-GA, Garden Apartment Residential.

The matter was introduced by Community Development Director Schroeder, who presented diagrams of the subject area.

Associate Planner David Morimoto presented the Woodlake North Final Environmental Impact Report apprising the Council that the project is a 32-acre site comprised of two parcels located in the northwest corner of the City of Lodi. It is bordered on the east by Lower Sacramento Road, on the south by Turner Road, and on the north and west by the City/County border. The property was annexed to the City of Lodi in August 1981 and is currently in agricultural production.

The proposed project, known as Woodlake North, would consist of 80 single-family residences approximately 160 apartment units and 4 acres of neighborhood commercial development. The project would be developed in phases over a two to three year period.

Mr. Morimoto also covered the following areas in his report on the subject document:

- a) Environmental setting, impacts and mitigations
- b) Unavoidable impacts
- c) Irreversible Environmental Changes
- d) Relationship between short-term uses of the environment and enhancement of long-term productivity
- e) Cumulative Impacts
- f) Growth-inducing Impacts .
- g) Alternatives to the proposed project
- h) Comments and Responses

The following persons spoke on behalf of the matters:

- a) A. Bryce Carey, President  
Carey Development  
5405 North Pershing Avenue  
Suite C-3  
Stockton, CA 95207
- b) Henry G. Eilers  
16657 East Milton Road  
Linden, CA

There were no other persons in the audience wishing to speak on the matter, and the public portion of the hearing was closed.

ORD. NO. 1327  
AND 1328 INTRO.

Following Council discussion with questions being directed to Staff and to persons who had given testimony, Council, on motion of Council Member Reid, Olson second certified as adequate the Final Environmental Impact Report of EIR-84-2, Woodlake North, a proposed 32 acre project containing 80 single-family lots, 2 parcels containing 160 multiple-family units and a four acre commercial site located on the north side of West Turner Road, West of Lower Sacramento Road (Main Street, Woodbridge) and established the following findings:

A. 1) ENVIRONMENTAL IMPACT

The project will result in the lost of 32± acres of prime agricultural soil. If the project is approved, this loss cannot be mitigated.

Finding

All the land in and around the City of Lodi is designated as prime agricultural soil.

The City does not have the option of building on "non prime" agricultural soils in order to preserve the prime soils. Every development built in the City, small or large, utilizes some prime agricultural soil. The residential, commercial and industrial needs of the city necessitates some urbanization of agricultural land.

Overriding considerations

The area in question has been designated for residential development for many years by the City of Lodi General Plan. The area has been undergoing urbanization over the past years. There are residential developments adjacent to the proposed project. The development is contiguous to existing developed areas and will be a logical continuation of the urbanized area.

The city of Lodi has planned and constructed its utility system to serve the area with water, sewer and storm drainage in anticipation of the area developing. The existing infrastructure will allow development of the area without costly expenditures of public funds for the extension or construction of major new lines.

2) ENVIRONMENTAL IMPACT

Urbanization of the subject parcel will affect adjacent agricultural parcels.

Finding

While some modification of current farming practices may be required, those modifications will not prevent the continued agricultural use of adjacent parcels. The use of agricultural chemicals can continue although in some cases alternative methods of application or types of chemicals may be required. The realignment of Lilac Street to the west edge of the subject property will create an 80 foot buffer between Woodlake North and the agricultural properties to the west. The roadway will provide a physical separation between the properties and also allow for continued access and turning movements for farm equipment.

The applicant is also proposing to enclose the subdivision with decorative fence facing the street. The fence plus landscaping will further reduce disturbance to adjacent land.

Finally, there is a proposal to convert the Towne house to a 'Bed & Breakfast Inn'. This would change the adjacent property to the west from an agricultural property to a commercial property. This would further buffer Woodlake North from agricultural parcels.

3) ENVIRONMENTAL IMPACT

The project will generate approximately 5,760 additional vehicle trips per weekday which will be added to surround streets.

Finding

The streets adjacent to the Woodlake North Project will be adequate to handle the additional traffic. Improvements will be made to Lower Sacramento Road and Turner Road that will improve the overall traffic flow. The project will also require the realignment of a portion of Lilac Street to conform to the Woodbridge Area Circulation Plan. The City will monitor the major intersections to determine if additional signalization work will be required.

4) ENVIRONMENTAL IMPACT

The project will produce some additional air pollution both from vehicle emissions and construction activity.

Finding

Based on air quality projections, the amount of vehicle-generated air pollution will not significantly affect the region. The construction generated pollution, primarily dust, will be temporary, lasting only during the period of construction. Much of the dust problem can be eliminated by watering down the site during the dry construction months.

5) ENVIRONMENTAL IMPACT

Portions of the site are adjacent to Turner Road and Lower Sacramento Road, both which have noise levels that exceed recommended levels for residential dwellings.

Finding

The developer will be required to comply with Title 25 of the State Administrative Code. The Code specifies the amount of noise reduction that will need to be achieved. Significant reductions in noise levels can be achieved by the careful design and construction of the residential units.

6) ENVIRONMENTAL IMPACT

The project will generate an estimated 160 additional students. This will affect the LUSD and its ability to provide adequate classroom space.

Finding

The developer has signed an agreement with the LUSD in which he agrees to pay an impact fee to the District. The District considers the payment of these fees as sufficient mitigation for the impact of the additional students.

B. ALTERNATIVES TO THE PROJECT

The EIR discussed several alternatives to the proposed project. The following are findings on two of the alternatives.

Alternative 1

This alternative is a "no build" alternative which would mean that no development would be constructed on the property.

Finding

This alternative would eliminate the environmental impacts resulting from the proposed project. This alternative would, however, affect the future supply of housing in the City of Lodi.

Although there appears to be an adequate supply of subdivision lots, this supply is continually being reduced by ongoing building and sales activity. Unless new subdivisions like Woodlake North are approved, the City would eventually run out of subdivision lots. Subdivisions often take from 12-18 months from the time of approval to the first houses becoming available. Woodlake North will provide housing units a year or two from now just at the time some existing subdivisions are being built out.

Alternative 2

This alternative would utilize an "infill" property as an alternative to the proposed project.

Finding

The City of Lodi has consistently encouraged the utilization of "infill" parcels of land available in the City of Lodi. There are no parcels of land available in the City of Lodi. There are no parcels that could accommodate the Woodlake North project. Most of the "infill" properties are small in size, ranging from single-family lots to one or two acres. All the large parcels are under development or have an approved project on them. Additionally, most of these parcels, if they were available, would be very expensive. The price would probably make affordable housing impossible.

C. GROWTH-INDUCING IMPACT

The project will not have a significant

Finding

The area surrounding the project site is already developed on three sides. The only undeveloped area is the area to the west. This area is affected by Measure A, which will require approval by the voters of Lodi before any development can take place. Measure A has placed a significant growth limit on the City of Lodi. Whether or not there will be further annexations and development in the project area will be up to the voters. If they choose not to approve any future annexations, there may be very little growth of the City in future years.

Further, Council determined that Eilers Lane as shown on diagram presented for Council's perusal is considered to be an adequate buffer pursuant to Measure A (Ordinance No. 1237 adopted by a vote of the people at a Special Election held August 25, 1981) for the application and spraying of various chemicals for agricultural purposes.

The motion carried by the following vote:

Ayes: Council Members - Hinchman, Olson, Reid,  
and Snider (Mayor)

Noes: Council Members - None

Absent: Council Members - Pinkerton

On motion of Council Member Olson, Reid second, Council introduced Ordinance No. 1327, approving General Plan-Land Use Element Amendment No. GP-LU-84-3, which redesignates portions of Woodlake North Subdivision, a proposed 32 acre Mixed Use Project on the north side of West Turner Road, west of Lower Sacramento Road (Main Street, Woodbridge) from Low Density Residential to Medium Density Residential or Commercial.

The motion carried by the following vote:

Ayes: Council Members - Hinchman, Olson, Reid,  
and Snider (Mayor)

Noes: Council Members - None

Absent: Council Members - Pinkerton

Council Member Olson then moved for introduction of Ordinance No. 1328 an Ordinance rezoning the area encompassed by the Woodlake North Subdivision from U-H, Unclassified Holding to the following Classifications: (a) Lots 1 through 30 to R-2, Single-Family Residential; (b) Lots 31 through 78 to R-1, Single-Family Residential; (c) Lot 79 to C-S, Commercial Shopping; and (d) Lots 80 and 81 to R-GA, Garden Apartment Residential.

The motion was seconded by Council Member Reid and carried by the following vote:

Ayes: Council Members - Hinchman, Olson, Reid  
and Snider (Mayor)

Noes: Council Members - None

Absent: Council Members - Pinkerton

0029  
NUMEROUS  
APPLICATIONS  
RECEIVED TO  
SERVE ON  
PLANNING  
COMMISSION

Mayor Snider reported that he had received approximately 15 applications from persons interested in serving on the Planning Commission.

0027  
COMMUNICATIONS

City Clerk Reimche presented the following letter which had been received from Assemblyman Alister McAlister:

"Thank you for your expression of support for Senator Foran's SB 575, which would have reformed the law of joint and several liability.

On June 18, 1984, I voted in favor of this measure in the Assembly Judiciary Committee. Unfortunately, despite my "yes" vote, the measure was defeated by a vote of 5 "yes" and 4 "no", 7 "yes" votes being required for passage in the 13-member committee.

I have authored similar measures (AB 1784 of 1979 and AB 86 of 1981) and have long advocated substantial tort reforms so as to bring about a better balance in tort litigation. It is clear that in California the legal situation has become completely unbalanced in favor of tort claimants. This imbalance has resulted because of many decisions over the past generation handed down by the California Supreme Court creating or distorting one legal doctrine after another in favor of plaintiffs. The Legislature must bear its share of the responsibility, however, since it has not acted to correct these decisions; in fact, by its inaction the Legislature has only encouraged our State Supreme Court to become ever bolder in its process of continually reshaping and expanding the California laws of liability.

If any constructive change is going to occur, it will require the active and concerted organizational efforts of all of those individuals and organizations that are dedicated to the cause of tort reform. Otherwise, those who continue to benefit from ever more liberal tort recoveries will continue to prevail in the halls of the Legislature.

Reform may also require serious consideration being given to an Initiative campaign. Many other causes have been taken directly to the voters. Why not tort reform? Such a campaign would succeed if sponsored by an aroused coalition of industry, local and state government officials, medical doctors and other health professionals, insurers and other concerned citizens.

In this era of fiscal difficulties for government, it is especially regrettable that tax monies that could otherwise be devoted to useful public services must instead be committed to the process of litigation and payment of claims and judgments. I hope that the day will soon come when far more of my legislative colleagues, both liberals who would like to spend more money on social programs and conservatives who would like to save money for the taxpayer as well as maintain basic services such as law enforcement, come to the hard realization that their objectives cannot be met if excessive monies must be committed to the tort litigation system. Hopefully, they will also come to realize that the excessive commitment of monies by business organizations to this same civil liability system diminishes the ability of our private sector to provide the jobs that are necessary for a prosperous economy. Unrealistic and excessive products liability

productive technologies, to the detriment of our continued economic growth."

Following discussion, Council directed the City Attorney to thank the Assemblyman for his continued support of an attempt toward tort reform and secondly, to offer his assistance in the development of an initiative toward tort reform.

0361 PUC APPLICATIONS

City Clerk Reimche presented a letter which had been received from Greyhound Lines, Inc., advising that by Application No. 84-06-076, filed June 22, 1984, with the California Public Utilities Commission, Greyhound Lines, Inc., seeks to increase its California intrastate passenger fares by 7%.

FEDERAL VOTING  
RIGHTS ACT:  
1982 AMENDMENTS

City Clerk Reimche presented the following letter which had been received from Deborah Seiler, Assistant to the Secretary of State, Elections and Political Reform:

"In 1982 Congress amended the minority language provisions of Section 203 of the Federal Voting Rights Act, Amendments of 1975. The 1982 amendments extended the minority language provisions of the Act for 'members of a single language minority who do not speak or understand English adequately enough to participate in the electoral process' as determined by the Director of the Census.

The Director of the Census has made his determination, effective June 25, 1984, when the decision was published in the Federal Register. Effective immediately, the counties covered by the minority language provisions are:

Fresno	San Benito
Imperial	Tulare
Kern	Merced
Kings	Yuba
Madera	Monterey

Jurisdictions not on the above list are no longer obligated under federal law to provide minority language services.

I have attached for your reference a copy of the decision as it appears in the Federal Register. (Apologies for the quality of the copy...). The counties listed in the Federal Register must continue to provide minority language assistance under section 203 of the Act. Counties formerly covered under section 203 that are not listed are no longer obligated to provide services under that section.

However, counties covered under section 4(f)4 of the Act, Kings, Merced, and Yuba, are still required to comply with the minority language and preclearance requirements of that section. Monterey County is only covered under section 4(b) which continues to require preclearance of changes in election procedures. In order for Monterey to be exempted from the minority language provisions, prior approval from the U.S. Department of Justice is required.

I would like to emphasize that the change in federal law does not alter the provisions of state law. For example, Elections Code section 1635(c) requires oral assistance at polling places under specified conditions. Section 14203 requires counties not covered by the federal Voting Rights Act to post Spanish facsimile ballots in a conspicuous location in



Chapter 373, Statutes of 1982 gave the Secretary of State's office the authority to determine whether the posting of facsimile ballots is appropriate in all precincts in a given county. We will be contacting you in this regard, most likely after the November General Election. In the meantime, if you are no longer covered under the Voting Rights Act, please observe the provisions of section 14203 in all precincts.

Please call if you have any questions about this."

City Clerk Reimche reported the effect this decision will have upon the City of Lodi in future elections and responded to questions regarding the matter as were posed by the Council.

51 NOTICE OF DATA  
ADEQUACY HEARING  
ISSUE IDENTIFI-  
CATION  
CONFERENCE

City Clerk Reimche reported that information had been received from the State of California, State Energy Resources Conservation and Development Commission of a Data Adequacy Hearing/Issue Identification conference to be held as follows:

Thursday, July 19, 1984  
and  
Friday, July 20, 1984 (if necessary)  
Beginning at 10:00 a.m.  
California Energy Commission  
1516 Ninth Street  
First Floor Hearing Room  
Sacramento, California  
(map attached; wheelchair accessible)

52 RALPH ANDERSON  
WAGE AND  
CLASSIFICATION  
STUDY  
(MAINTENANCE  
AND OPERATORS  
UNIT)

City Clerk Reimche reminded the Council that at the July 5, 1984 Council meeting, Council adopted a Resolution adopting the Ralph Anderson Wage and Classification Study as it pertains to the Maintenance and Operators Unit contingent on its ratification by that unit. The subject wage and classification study has now been ratified by that unit and it will be effective as of July 2, 1984.

As a result, changes will be made in the following job classifications:

<u>NAME</u>	<u>OLD CLASSIFICATION</u>	<u>NEW CLASSIFICATION</u>
Robt. Freshour	Building Maintenance Lead Worker	Senior Building Maintenance Worker
Gary O'Nesky	Tree Trimmer	Sr. Tree Trimmer
Don Dahl	Building & Equip- ment Worker	Sr. Building Maint- enance Worker
Thomas Elhard	Building Service Worker	Building Maint- enance Worker
Dale Edens	Electrical Technician	Sr. Electrical Technician

COMMENTS BY  
CITY COUNCIL  
MEMBERS

53 COUNCIL EXPRESS-  
ES APPRECIATION  
TO SENATOR  
GARAMENDI ON  
SB 1440

Following introduction of the matter by Council Member Reid, Mayor Snider directed the City Clerk to write to Senator Garamendi expressing the Council's appreciation for his vote on SB 1440.

MAYOR RICHARD L. HUGHES - HE WILL BE SORELY MISSED AND REMEMBERED FOR HIS DEDICATION AND SERVICE TO HIS COMMUNITY

Mayor Snider reaffirmed this Community's sadness over the recent death of former Mayor Richard L. Hughes, and acknowledged that Mayor Hughes will always be remembered for his outstanding service and dedication to this community.

COMMENTS BY THE PUBLIC ON NON AGENDA ITEMS

There were no persons in the audience wishing to address the Council under this segment of the Agenda.

REPORTS OF THE CITY MANAGER

REGULAR CALENDAR

APPEAL OF DAUBER/ KIKUCHI AND TEMPLE BAPTIST CHURCH OF CITY OF LODI DESIGN STANDARDS AND ANNEXATION CONDITIONS

Council was apprised that the present professional offices owned by Dauber & Kikuchi on Lower Sacramento Road are located within a remodeled single family residential house. The City allowed this change of use and remodel without the installation of full offsite improvements and storm drainage facilities. The City, however, made it clear at the time of the initial remodel that any future expansion of the present facilities would require installation of all of the standard offsite improvements (i.e. curb, gutter, sidewalk, street improvements, street lights, water, sewer and storm drainage facilities).

Dauber & Kikuchi are now proposing an expansion of their professional center which will more than triple the present square footage. With this expansion, they will be installing offsite improvements along their Lower Sacramento Road and Tokay Street frontages.

Based on their proposed addition as it is presently drawn, there is inadequate room for the required private ponding basin necessary to handle the street and onsite drainage. Dauber and Kikuchi, under a letter dated June 12, 1984, are requesting City Council approval to use a portion of the existing ponding basin constructed by the Temple Baptist Church. This basin is located west of Lower Sacramento Road and north of Vine Street. This use would be limited to a 10-year time frame with a provision for renegotiations after the 10-year period.

The Temple Baptist Church ponding basin was constructed in conformance with the City's design criteria for a private ponding basin service a single parcel. Since it served only a single parcel, this basin was not required to be tied into the City's existing storm drain system (i.e., have a terminal discharge). Therefore, the ponding basin has no storm water disposal other than evaporation and percolation.

Dauber & Kikuchi's request is to use a portion of Temple Baptist's basin, in its present condition, to also serve their parcel. The design criteria approved by the City Council, for a private ponding basin serving multiple parcels, would require the basin have a terminal discharge to the City's existing storm drain system. The criteria would also require that existing storm drainage basin be operated and maintained by City forces at Developer's expense. There are other minor items which would also be nonconforming.

Dauber & Kikuchi are appealing the requirements under Sections 3.600, "Private Ponding Basins. Multiple

The appeal of Dauber & Kikuchi is further complicated by the conditions that were placed upon the Temple Baptist Church annexation by the City Council in 1976. Based on the proposed ultimate development plan of Temple Baptist Church, the City Council was concerned at the time of the annexation request that the Temple Baptist Church comply with the City's design criteria related to private basin ponds serving single and multiple parcels. It was clear that the ultimate development of the Temple Baptist Church property included a senior citizen retirement housing complex. Since it is typical for that type of development to be on a separate parcel from the Church, the Council was concerned that, if the private pond was to be used for more than the single parcel, terminal storm drainage would be required for the proposed ponding basin.

Temple Baptist Church, under their letter of June 14, 1984, is requesting that the City Council waive the condition for annexation under Resolution No. 4219, which relates to providing terminal drainage.

Items for Council to consider:

1. At the end of the 10-year period, if Temple Baptist Church would no longer allow Dauber & Kikuchi to use their ponding facility, what happens to the street drainage on Lower Sacramento Road, Tokay Street and Dauber & Kikuchi's onsite drainage?

It is felt that, whether they use the Temple Baptist pond or not, their proposed development plan must provide an unused open area so they can handle their drainage problem in the future. If this area is provided, there is no reason that it cannot be developed as a private pond now and when the City's F Drainage Area fully develops, their pond could be eliminated and additional building coverage could be added at that time.

2. If terminal drainage were provided to the existing Temple Baptist ponding basin, a storm line would be tied into the Vine Street storm drain and ponding basin, which presently serves the Sunwest-Cochran area. This Sunwest-Cochran area is in the City's ultimate G Drainage Area and its runoff is presently being pumped into the B-1 Drainage Area, which is already overcharged. No additional runoff should be added to the B-1 Drainage Area unless there is no other alternative.
3. Does the City really want to take over the maintenance and operation of an additional private drainage pond in F Drainage which will be service only two parcels?
4. Both the Temple Baptist Church and Dauber & Kikuchi developed in a a drainage area which they knew would not be immediately developed. They were both very aware of the drainage requirements at the time they purchased and developed their properties.
5. If the Council does allow Dauber & Kikuchi to tie into the Temple Baptist pond, what happens when:
  - (1) Temple Baptist develops fully and needs the pond?
  - (2) Temple Baptist splits their property into multiple parcels?
  - (3) Staff has to handle the next substandard request?

APPEAL BY  
DAUBER/KIKUCHI  
AND TEMPLE  
BAPTIST CHURCH  
OF CITY OF LODI  
DESIGN STANDARDS  
AND ANNEXATION  
CONDITIONS  
DENIED

Speaking on behalf of his appeal was Steve J. Kikuchi. A lengthy discussion followed with questions being directed to Staff and to Mr. Kikuchi.

On motion of Council Member Hinchman, Olson second, Council denied the appeal of Dauber/Kikuchi and Temple Baptist Church of the City of Lodi Design Standards and Annexation conditions.

2459  
REQUEST FROM  
LODI PARK WEST  
FOR COMPLETION  
OF FRONTAGE  
ROAD APPROVED

Council was apprised that a letter had been received from Jerald Kirsten, Lodi Park West, indicating that they are desirous of immediately improving the City-owned median between Lower Sacramento Road and the frontage road, and proposing that they will arrange for and pay the cost of installing sprinklers and trees in the median if the City will construct the major street curb and gutter and maintain the landscaping they will install.

Following discussion, with questions being directed to Staff, Council, on motion of Council Member Reid, Hinchman second, approved the request received from Lodi Park West for completion of Lower Sacramento Frontage Road Median, and authorized that the curbing and drainage be funded with SB 325 funds; and that the City amend the Agreement with the Developer in order to have his contractor provide for the construction.

276  
EASTSIDE WATER  
WELL SITING  
STUDY

Council was apprised that the City of Lodi presently has the replacement of two water wells budgeted for the east side of our water system. The Public Works staff informed the Council approximately 3 months ago at a shirtsleeve session that we had had major difficulties in negotiating site locations with property owners and recommended that we retain a consultant to determine the best location for our eastside wells.

Based on the City's past experience in dealing with property owners in this area, it is the City's feeling that the City will have to go through condemnation in order to obtain the required well sites on the eastside. It is for that reason that Staff feels strongly that the siting of these future wells should be backed up by sufficient and accurate engineering and field data.

The City has received a proposal from the engineering firm, Black & Veatch, who were previously retained to update the City's Water Master Plan.

The cost of the study is estimated at \$9,000.00. It is recommended that the Siting Study be funded from those funds budgeted for eastside well replacement.

Mr. Dave Requa, the proposed Project Engineer for the firm of Black & Veatch was in the audience and responded to questions as were posed by the Council.

On motion of Mayor Snider, Hinchman second, Council authorized the retaining of the firm of Black and Veatch to perform the Eastside Water Well Siting Study at a cost of \$9,000.00.

RECESS

Mayor Snider declared a 5 minute recess and the Council reconvened at 9:20 p.m.

249  
CHURCH STREET  
TREE REMOVAL  
AND REPLANTING

Council was reminded of the range of problems created by the existing Camphor trees on Church Street and a memo which had been authorized by the Street Superintendent which categorized the problems created by the

It was Staff's recommendation that 81 trees in three categories be replaced at this time with an Evergreen Pear (Pyrus Kawakami Standard).

Following discussion, Council, on motion of Mayor Pro Tempore Hinchman, Reid second, authorized the Public Works Department to enter into a Change Order with the Downtown Assessment District Contractor for tree removal on Church Street from Lodi Avenue to Lockeford Street of 81 trees and authorized tree replanting in the subject area.

1130  
0155  
AGREEMENT WITH  
INTERNATIONAL  
SYSTEMS, INC.  
APPROVED

Following introduction of the matter by Staff, Council discussion, and questions being posed to a representative of the subject company, Council, on motion of Mayor Snider, Olson second, approved an Agreement with International Systems, Inc., to seek and apply for State, Federal, and private foundation grants for the City of Lodi at an annual fee of \$28,000 and authorized the Mayor and City Clerk to execute the agreement on behalf of the City.

The motion carried by the following vote:

Ayes: Council Members - Olson, Reid, and Snider (Mayor)

Noes: Council Members - Hinchman

Absent: Council Members - Pinkerton

1132  
COUNCIL APPROVES  
NEGOTIATING  
CONTRACT WITH  
CTIC ASSOCIATES

Mr. Harold E. Horn, President of CTIC Associates addressed the Council regarding the possibility of his company being retained to assist the City of Lodi through the "refranchising" process of its cable franchise.

Mrs. Deanna Enright, Manager, Lodi Cable T.V. addressed the Council regarding the matter voicing her concern that such an action might be premature. Ms. Enright also spoke about possible upgrades to their equipment, etc.

Following a lengthy discussion, with questions being directed to Mr. Horn, Ms. Enright, and to Staff, Council, on motion of Council Member Olson, Hinchman second, authorized the City Manager to proceed to negotiate a contract with CTIC Associates to assist the City of Lodi through the "refranchising" process of the cable franchise.

001149  
VARIOUS ORD-  
INANCES PERTAIN-  
ING TO NCPA  
COMBUSTION  
TURBINE PROJECT  
NO. 1

Following introduction of the matter by Utility Director Curry, Council, on motion of Council Member Reid, Hinchman second, introduced the following Ordinances:

ORD. NO. 1329

Ordinance No. 1329 - An Ordinance of the City Council of the City of Lodi, California, approving the terms and conditions of an Agreement among NCPA and certain project participants and authorizing the executing and delivery of said Agreement by Officers of the City of Lodi.

ORD. NO. 1330

Ordinance No. 1330 - An Ordinance of the City Council of the City of Lodi, California, authorizing the issuance of Public Power Revenue Bonds by NCPA (Combustion Turbine Project No. 1)

ORD. NO. 1331

Ordinance No. 1331 - An Ordinance of the City Council

The motions on each of the aforementioned Ordinances carried by the following vote:

Ayes: Council Members - Hinchman, Olson, Reid, and Snider (Mayor)

Noes: Council Members - None

Absent: Council Members - Pinkerton

1247  
02 300  
CONTRACT FOR  
SINGLE-PHASE  
PADMOUNT  
TRANSFORMERS  
AWARDED

Utility Director Curry presented the following bids which had been received for ten 50 KVA, twenty 75 KVA, and six 100 KVA single-phase padmount transformers:

SEE PAGE 15

RES. NO. 84-115

Following Staff's recommendation, Council, on motion of Mayor Pro Tempore Hinchman, Olson second, adopted Resolution No. 84-115 awarding the bid for the aforelisted single-phase padmount transformers as follows:

1. McGraw-Edison Co., Burlingame, CA.

10-50 KVA and 20-75 KVA \$36,432.20

2. Westinghouse Electric Supply Co., Concord, CA

6-100 KVA \$ 9,796.63

SHIPMENT OF  
SUBSTATION  
POWER  
TRANSFORMER  
AWARDED  
10 51(d)  
10 300

Council was apprised that on Tuesday, July 17, 1984, the following bids were received for the loading/shipment (and return shipment/unloading) of the Killelea #2 transformer bank, for repair at the Westinghouse repair facility in Compton, California.

<u>Bidder</u>	<u>Total Bid</u>
Reliable Crane & Rigging, Inc.	\$10,388.00
Teresi Trucking, Inc.	\$12,950.00
Bigge Crane & Rigging Co.	\$14,940.00
Triple R. Heavy Haul, Inc.	\$20,250.00
Husky Crane, Inc.	\$31,700.00

Based on the bids received, it was Staff's recommendation that the bid be awarded to the lowest bidder, Reliable Crane and Rigging, Inc., in the amount of \$9,800.00.

RES. NO. 84-116

Following discussion, on motion of Mayor Pro Tempore Hinchman, Olson second, Council adopted Resolution No. 84-116 awarding the bid for the loading/shipment (and return shipment/unloading) of the Killelea #2 transformer bank, for repair at the Westinghouse repair facility in Compton, California, to the lowest bidder, Reliable Crane and Rigging, Inc., Sacramento, California, in the amount of \$9,800.00.

CC 449  
02 47  
PLANS AND SPECS  
ON BLOCK GRANT  
STORM DRAIN  
PROJECTS APPRVD

Council, on motion of Mayor Pro Tempore Hinchman, Olson second, approved the plans and specifications for "Poplar Street Storm Drain, Stockton Street to Central Avenue - Central Avenue Storm Drain, Oak Street to Elm Street" and authorized the advertisement for bids thereon. Council further authorized the Public Works Director to move the bid opening date as necessary to comply with Federal Requirements.

SINGLE-PHASE PADMOUNT TRANSFORMER BID EVALUATION

UD-E84-5

<u>Supplier</u>	<u>10 - 50 KVA</u>				<u>20 - 75 KVA</u>				<u>6 - 100 KVA</u>			
	<u>'A'</u> <u>Price</u> <u>w/Tax</u>	<u>'B'</u> <u>Cost of</u> <u>Losses</u>	<u>'A' + 'B'</u> <u>Life-Cycle</u> <u>Cost</u>	<u>Est.</u> <u>Del.</u> <u>Weeks</u>	<u>'A'</u> <u>Price</u> <u>w/Tax</u>	<u>'B'</u> <u>Cost of</u> <u>Losses</u>	<u>'A' + 'B'</u> <u>Life-Cycle</u> <u>Cost</u>	<u>Est.</u> <u>Del.</u> <u>Weeks</u>	<u>'A'</u> <u>Price</u> <u>w/Tax</u>	<u>'B'</u> <u>Cost of</u> <u>Losses</u>	<u>'A' + 'B'</u> <u>Life-Cycle</u> <u>Cost</u>	<u>Est.</u> <u>Del.</u> <u>Weeks</u>
McGraw-Edison Co. Burlingame, CA	<u>\$10,398.60</u>	\$8,258.00	\$18,656.60	20	<u>\$26,033.60</u>	\$21,413.00	\$47,446.60	20	\$ 8,662.32	\$7,902.30	\$16,564.62*	20
West. Electric Supply Concord, CA	11,463.90	7,417.50	18,881.40	25-27	29,405.46	20,162.00	49,567.46	25-27	<u>9,796.63</u>	8,352.90	18,149.53	25-27
RTE Corporation Portland, OR	12,995.60	8,228.00	21,223.60	16-18	34,238.00	23,449.00	57,687.00	16-18	11,899.56	9,235.50	21,135.06	16-18
General Elec. Supply Emeryville, CA	15,772.80	7,929.50	23,702.30	14-16	38,732.40	21,162.00	59,894.40	14-16	13,750.32	7,758.90	21,509.22	14-16

\* Does not meet City specifications.

Council was informed that these projects include the installation of 12" and 30" storm drains in Poplar Street to relieve flooding on Central Avenue, and curb and gutter replacement on Central Avenue from Poplar Street to Concord Street, and installation of 12", 15" and 21" storm drains in Central Avenue. Since this is the City's first project under this program, the specifications are being reviewed by the Federal Agencies responsible for the Grant and the bid opening date may need to be changed in the event addendums to the specifications are necessary.

1247  
12300  
AWARD - SALAS  
PARK WALKWAYS,  
PHASE I

The City Manager presented the following bids which had been received for "Salas Park Walkways - Phase I":

BIDDER

BID

Claude C. Wood Company

\$19,307.00

Case Construction Company

\$19,738.00

RES. NO. 84-111

Based on the City Manager's recommendation, Council, on motion of Council Member Reid, Olson second, adopted Resolution No. 84-111 awarding the bid for "Salas Parks Walkways - Phase I" to Claude C. Wood Company, the low bidder, in the amount of \$19,307.00.

124  
12300  
RESOLUTION  
FIXING FEES  
FOR MASSAGE/  
OUTCALL MASSAGE  
SERVICE

Following introduction of the matter by City Attorney Stein, with questions regarding the subject being posed by the Council, Council, on motion of Council Member Reid, Hinchman second, adopted Resolution No. 84-112 - Resolution of the Lodi City Council Fixing Fees for Application for Permit for Lodi Municipal Code Chapter 13B Relating to Massage Establishments and/or Outcall Massage Service setting such fees at:

RES. NO. 84-112

- a) For each permit, the sum of \$50.00;
- b) Plus \$24.50 for each person, other than an individual applicant and/or massage technician to be employed by massage establishment and/or outcall massage service;
- c) For outcall massage service only, where there is no business establishment site, the sum of \$24.50 for each person to be employed in outcall massage service.

116  
12300  
OPTIONAL PROGRAM  
FOR COUNCIL  
MEMBERS FOR  
MEDICAL, DENTAL  
AND VISUAL  
PROGRAM AT  
THEIR OWN  
EXPENSES  
APPROVED

Following introduction of the matter, Council, on motion of Mayor Pro Tempore Hinchman, Reid second, adopted Resolution No. 84-113 - Resolution Designating That Members of the Lodi City Council May Subscribe to Medical, Dental, and Visual Programs at Their Own Expense.

RES. NO. 84-113

116  
12300  
DEPARTMENT HEAD  
SALARY RANGES  
ESTABLISHED

Following introduction of the matter on motion of Council Member Reid, Hinchman second, Council adopted Resolution No. 84-114 - Resolution Establishing Salary Ranges for Department Heads, effective July 2, 1984 as follows:

RES. NO. 84-114

TITLE

RANGES

Assistant City Manager

\$3328-4027

Community Development Director

\$3412-4128



Fire Chief	\$3465-4193
Finance Director	\$3266-3952
Police Chief	\$3591-4345
Public Works Director	\$3763-4553
Recreation & Parks Director	\$3050-3691
Utility Director	\$3755-4544
Administrative Assistant	\$2175-2631
Community Relations Assistant	\$1712-2082

RES. NO. 84-117 Further, on motion of Council Member Olson, Reid second, Council adopted Resolution No. 84-117 - Resolution establishing salaries for Council appointees, the City Attorney, City Clerk, and City Manager, effective July 2, 1984 as follows:

City Attorney	\$4327.00 (Inc. \$150 auto allowance)
City Clerk	\$2585.00
City Manager	\$4823.00

0076 CITY MANAGER  
AUTHORIZED TO  
NEGOTIATE LEASE  
0071 AGREEMENT WITH  
COUNTY FOR  
PARCEL OF  
PROPERTY AT  
HARNEY LANE  
DUMP SITE

Following introduction of the matter by the City Manager and Council discussion, Council, on motion of Mayor Snider, Reid second, directed the City Manager to negotiate a lease agreement with the County of San Joaquin for a parcel of property at the Harney Lane Dump Site.

006 CITY MANAGER  
ANNOUNCES PLANS  
0034 TO RETIRE

City Manager Graves announced his plans to retire the end of March, 1985.

#### ADJOURNMENT

There being no further business to come before the Council Mayor Snider adjourned the meeting at approximately 11:20 p.m.

Attest:

*Alice M. Reimche*  
Alice M. Reimche  
City Clerk